

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8123

UNITED STATES OF AMERICA,

Plaintiff,

v.

Adalberto LOPEZ

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF


21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about February 10, 2008, within the Southern District of California, defendants Adalberto LOPEZ did knowingly and intentionally import approximately 10.52 kilograms (23.14 pounds) of cocaine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 11TH,
DAY OF FEBRUARY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Adalberto LOPEZ

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Nicole
7 Yammine.

8 On February 10, 2008, at approximately 1100 hours, Adalberto LOPEZ entered
9 the United States at the Calexico, California, West Port of Entry. LOPEZ was the driver
10 and sole occupant of a 2003 Toyota 4Runner, bearing California license plate
11 5ZQR053.

12 CBP Officer J. Pina received a negative oral Customs declaration from LOPEZ.
13 LOPEZ told CBP Pina that he was on his way to Calexico to go shopping. CBP Officer
14 Pina then referred LOPEZ and the vehicle to vehicle secondary for further inspection.

15 In the vehicle secondary lot, CBP Officer B. Garcia took a negative Customs
16 declaration. LOPEZ advised CBP B. Garcia that he had been in Mexicali, Mexico,
17 visiting his children and he was on his way back to his house in Calexico. LOPEZ
18 stated the vehicle was his, but that it was not yet registered to him. CBP Officer B.
19 Garcia then requested that CBP Canine Enforcement Officer (CEO) A. Garcia, and his
20 canine, conduct a sweep of the vehicle. The canine alerted to the front area of the
21 vehicle. CEO A. Garcia notified CBP Officer B. Garcia of the alert.

22 A subsequent inspection of the vehicle revealed 10 packages within the intake
23 manifold within the engine of the vehicle. CBP Officer B. Garcia probed one of the
24 packages, and a sample of a white powdery substance was obtained, which field tested
25 positive for cocaine. The 10 packages had a combined net weight of approximately
26 10.52 kilograms (23.14 pounds).